IN THE CLAIMS

Please enter the following amendments:

1. (currently amended) A prefabricated construction element for use after its manufacturing as an underlayment or backerboard comprising:

(a) a cementitious core having an upper principal face and a lower principal face**, the lower principal surface not having reinforcement mesh material embedded in or adhered to the lower principal surface**;

(b) an impervious non-cementitious reinforcement web **disposed directly** on the lower principal face of the core, the impervious non-cementitious reinforcement web remaining on the lower principal face of the core after the manufacture of the construction element;

(c) a cementitious bonding surface remaining on the upper principal face of the construction element after the manufacture of the construction element; and

(d) a non-cementitious surface remaining on the lower principal face of the construction element after the manufacture of the construction element;

the impervious non-cementitious reinforcement web having a sufficient tensile strength to provide the construction element with a flexural strength capable of supporting loads associated with elements used as an underlayment or backerboard;

the impervious non-cementitious reinforcement web having a resistance to free water penetration greater than or equal to that of felt paper;

the core including alkaline resistant fibers; and

the construction element being prefabricated.

2. (original) The construction element of Claim 1, the alkaline resistant fibers being chopped reinforcement fibers randomly dispersed in the core.

3. (previously presented) The construction element of Claim 2, the impervious non-cementitious reinforcement web comprising a reinforced polymer membrane.

4. (previously presented) The construction element of Claim 2, the impervious non-cementitious reinforcement web comprising water impervious paperboard.

5. (previously presented) The construction element of Claim 2, the impervious non-cementitious reinforcement web comprising spunbonded olefin.

6. (previously presented) The construction element of Claim 2, the impervious non-cementitious reinforcement web comprising an alkaline resistant dense polymer fiber mat.

7. (previously presented) The construction element of Claim 2, the core comprising Portland cement and an additive selected from the group consisting of expanded shale, expanded clay, sintered clay, pumice, slag, calcium carbonate, slate, diatomaceous slate, perlite, vermiculite, scoria, volcanic cinders, tuff, diatomite, sintered fly ash, industrial cinders, gypsum, foam beads and glass beads.

8. (currently amended) A ~~prefabricated asymmetrical construction element for use after its manufacturing as an underlayment or backerboard, the construction element having a top surface and a bottom surface, the construction element being asymmetrical in that the moisture resistant properties of the top surface are different from the bottom surface, the~~ construction element comprising:

[~~(a)~~] a **cementitious** core having an upper principal face and a lower principal face**, the upper principal face having a single layer of pervious reinforcing mesh embedded in or adhered to the upper principal surface**;

[~~(b)~~] ~~a pervious upper reinforcement material on the upper principal face of the core;~~

[~~(c)~~] an upper cementitious coating ~~in communication with~~ **disposed on** the upper principal face of the core and the ~~pervious upper reinforcement material~~ **pervious reinforcing mesh**;

[~~(d)~~] an impervious non-cementitious reinforcement web on the lower principal face of the core, the impervious non-cementitious reinforcement web remaining on the lower principal face of the core after the manufacture of the cementitious panel;

[~~(e)~~] a pervious cementitious bonding surface remaining on the upper principal face of the cementitious panel after the manufacture of the cementitious panel; and

[~~(f)~~] a non-cementitious surface remaining on the lower principal face of the

cementitious panel after the manufacture of the cementitious panel[;]

~~the impervious non-cementitious reinforcement web having a sufficient tensile strength to provide the construction element with a flexural strength capable of supporting loads associated with elements used as an underlayment or backerboard;~~

~~the impervious non-cementitious reinforcement web having a resistance to free water penetration greater than or equal to that of felt paper;~~

~~the cementitious panel having a core including cement, and~~

~~the cementitious panel being asymmetrical in design such that after manufacture, the top surface includes the pervious cementitious bonding surface and the bottom surface includes the impervious non-cementitious reinforcement web.~~

9. (previously presented) The cementitious panel of Claim 8, the impervious non-cementitious reinforcement web comprising a single reinforced polymer membrane layer.

10. (previously presented) The cementitious panel of Claim 8, the impervious non-cementitious reinforcement web comprising water impervious paperboard.

11. (previously presented) The cementitious panel of Claim 8, the impervious non-cementitious reinforcement web comprising spunbonded olefin.

12. (previously presented) The cementitious panel of Claim 8, the impervious non-cementitious reinforcement web comprising an alkaline resistant dense polymer fiber mat.

13. (previously presented) The cementitious panel of Claim 8, the cement core comprising Portland cement and an additive selected from the group consisting of expanded shale, expanded clay, sintered clay, pumice, slag, calcium carbonate, slate, diatomaceous slate, perlite, vermiculite, scoria, volcanic cinders, tuff, diatomite, sintered fly ash, industrial cinders, gypsum, foam beads and glass beads, and

wherein there is only one impervious non-cementitious reinforcement web for the construction element, that being located on the lower principal face of the construction element.

Claims 14-44 (canceled)

45. (previously presented) A ~~prefabricated asymmetrical~~ construction **panel** ~~element for use after its manufacturing as an underlayment or backerboard, the construction element having a top surface and a bottom surface, the construction element being asymmetrical in that the moisture resistant properties of the top surface are different from the bottom surface, the construction element~~ comprising:

[~~(a)~~] a cement core having an upper principal face and a lower principal face;

[~~(b)~~] **an upper stratum face consisting of** a pervious reinforcement **mesh having** ~~layer on the upper principal face of the core;~~

[~~(c)~~] a **coating of** cement slurry ~~binding the reinforcement layer to~~ disposed on the ~~upper principal face of the core~~ **the surface of the mesh, the mesh embedded in the upper principal face of the core**;

[~~(d)~~] **a lower stratum consisting of** an impervious non-cementitious reinforcement web layer ~~on the lower principal face of~~ **disposed directly on the lower principal face of** the core~~, the impervious reinforcement web having a non-cementitious lower surface, the impervious web remaining on the lower principal face of the core after the manufacture of the structural construction element;~~

~~(e) a pervious cementitious bonding surface remaining on the upper principal face of the structural construction element after the manufacture of the structural construction element; and~~

~~(f) a non-cementitious surface remaining on the lower principal face of the structural construction element after the manufacture of the structural construction element;~~

~~the structural construction element being asymmetrical in design such that after manufacture, the upper principal face includes a pervious cementitious bonding surface and the lower principal face includes an impervious non-cementitious reinforcement web and a non-cementitious lower surface;~~

~~wherein there is only one impervious non-cementitious reinforcement web for the construction element, that being located on the lower principal face of the structural construction element;~~

~~the impervious non-cementitious reinforcement web barrier enabling water vapor to pass therethrough; and~~

~~the impervious non-cementitious reinforcement web having a sufficient tensile strength to provide the construction element with a flexural strength capable of supporting loads associated with elements used as an underlayment or backerboard;~~

~~the impervious non-cementitious reinforcement web having a resistance to free water penetration greater than or equal to that of felt paper;~~.

46. (previously presented) The ~~prefabricated asymmetrical structural construction element of~~ **panel** Claim 45, the upper principal face and the lower principal face ~~of the structural construction element have~~ **having** different moisture-resistant surfaces, respectively, on each.

Claims 47-48 (canceled)

49. (previously presented) The ~~prefabricated asymmetrical structural construction element of~~ **panel** Claim 45, the core including alkaline resistant fibers.

50. (previously presented) The ~~prefabricated asymmetrical structural construction element of~~ **panel** 49, the alkaline resistant fibers being chopped reinforcement fibers randomly dispersed in the core.

51. (previously presented) The ~~prefabricated structural asymmetrical cementitious~~ panel of Claim 50, the impervious non-cementitious reinforcement web comprising a reinforced polymer membrane.

52. (new) A backerboard panel consisting of:

a cementitious core having first surface and a second surface;

a reinforcement mesh material embedded in the first surface; and

an impervious membrane disposed directly on the second surface.

53. (new) A backerboard panel consisting of:

a cementitious core having first surface and a second surface;

a reinforcement mesh material embedded in the first surface;

a coating disposed atop the first surface; and

an impervious membrane disposed directly on the second surface.